



# SAN FRANCISCO PLANNING DEPARTMENT

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## Executive Summary Downtown Park Fund Allocation

HEARING DATE: MAY 21, 2015

1650 Mission St.  
Suite 400  
San Francisco,  
CA 94103-2479

Reception:  
**415.558.6378**

Fax:  
**415.558.6409**

Planning  
Information:  
**415.558.6377**

*Date:* May 14, 2015  
*Case No.:* **2015-005196CWP**  
*Project Name:* Allocation of \$1,375,000 from the Downtown Park Fund for the Union Square ADA Accessibility Project  
*Zoning:* P/OS  
*Block/Lot:* 0308/001  
*Project Sponsor:* Recreation and Park Department  
McLaren Lodge, Golden Gate Park  
501 Stanyan Street  
San Francisco, CA 94117  
*Staff Contact:* Sue Exline – (415) 558-6332  
*Susan.exline@sfgov.org*  
*Recommendation:* *Recommend Approval*

### PROJECT DESCRIPTION

The proposed resolution would allocate \$1,375,000 from the Downtown Park Fund for Americans with Disability Act (ADA) accessibility improvements to Union Square.

The Downtown Park Fund (Fund) was created in 1985 to fund the creation of park and open space areas for the growing downtown daytime population. Planning Code section 412.5 requires a joint public hearing of the Recreation and Park Commission and the Planning Commission to allocate monies in the Fund for acquisition or development of park property. The RPC alone administers the development of the recreation and park facilities.

The Downtown Park Fund had an available balance of \$2,680,813 as of December 2014. The funding for this project (\$1,375,000) has already been appropriated and is not part of the remaining balance.

### BACKGROUND

The Union Square ADA Settlement and Enhancement Project (Project) is part of a settlement agreement from 2009. The settlement agreement required the City to remove specified barriers to access in the Plaza and Garage (Phase I or "Settlement Work"). The Mayor's Office on Disability also requested that RPD undertake additional disability access enhancements at Union Square Plaza in order to respond to subsequent public complaints (Phase 2 or "Enhancement Work"). A total of \$1,375,000 was appropriated to this Project from the Fund through the annual budget process in Fiscal Years 09/10, 10/11, and 11/12.

Phase I (Settlement Work) construction began in October 2011 and was completed in February 2013 with \$524,000 from the Downtown Park Fund. RPD staff implemented this phase prior to obtaining authorization to appropriate the funds to the Project from the joint Recreation and Park and Planning Commissions. The attached draft resolution would retroactively appropriate the funding from the Downtown Park Fund for the Phase I work (also known as Settlement Work). The Phase I work removed specified barriers to access including the re-grading of three pedestrian access ramps and a walkway, handrails extensions, a van-accessible garage entry, and improved directional signage. Attachment 2 provides a drawing illustrating the components of the Phase I scope of work, which was completed in February 2013.

The Phase 2 (Enhancement Work) is now ready for construction and would be funded with the remaining \$851,000 from the appropriated monies in the Fund. Prior to realizing that the Joint Commission action to authorize funding was not previously undertaken, RPD staff recommended and the the Recreation and Park Commission approved the contract for the Phase 2 Work on February 2, 2015. The Recreation and Park Commission resolution approving the contract for this work is Attachment 3.

The Phase 2 Work will include two other funding sources associated with specific project elements: 1) \$134,000 from the Open Space Contingency Fund for electrical work, and 2) \$50,000 from the Mayor's Office on Disability to fund two trench grate replacements. The Phase 2 Work also includes wheel-guides, curbs, and lighting along specific pathways and seating areas. The total budget for the Phase 2 Work including all three funding sources is \$1,035,000. Attachment 4 provides a drawing illustrating the components of the Phase II scope of work.

Fund allocations are to be approved jointly by the Recreation and Park and Planning Commissions. The attached draft resolution would approve the expenditure for Enhancement Work (Phase 2) and retroactively approve the funding for the Settlement Work (Phase 1).

## **ENVIRONMENTAL REVIEW**

The Project (both Phase I and Phase II) was determined by the San Francisco Planning Department to be categorically exempt from environmental review, under Class 1(a) of the State CEQA Guidelines, Section 15301, pursuant to Title 14 of the California Administrative Code.

## **HEARING NOTIFICATION**

TYPE	REQUIRED PERIOD	REQUIRED NOTICE DATE	ACTUAL NOTICE DATE	ACTUAL PERIOD
Classified News Ad	20 days	May 1, 2015	April 29, 2015	22 days

## **PUBLIC COMMENT**

- The Department has not received any support or opposition to the project.

## **REQUIRED COMMISSION ACTION**

In order for the Project to proceed, the Commission must adopt the attached resolution and allocate \$1,375,000 from the Downtown Park Fund.

## **BASIS FOR RECOMMENDATION**

The Department supports the recommendations of this Resolution and believes that this allocation should occur per Section 412.5 of the Planning Code for the following reasons:

- The Project will remove barriers to the Plaza and Garage and thereby improve accessibility to Union Square.
- The Project improves open space within the C-3 district.
- The Project is within the C-3 district and serves the daytime population of this district.

<b>RECOMMENDATION:</b> <b>Approval</b>
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### **Attachments:**

Draft Resolution

Illustration of Phase 1 Work

Recreation and Park Commission Resolution approving Phase 2

Illustration of Phase 2 Work

Attachment Checklist

- ☒ Executive Summary
- ☒ Draft Motion
- ☐ Block Book Map
- ☐ Sanborn Map
- ☐ Zoning District Map

- ☐ Aerial Photo
- ☐ Context Photos
- ☐ Project sponsor submittal
- Drawings: Existing Conditions
- ☐ Check for legibility

Exhibits above marked with an "X" are included in this packet

\_\_\_\_\_  
SME  
Planner's Initials



# SAN FRANCISCO PLANNING DEPARTMENT

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## Planning Commission Draft Resolution ALLOCATION OF \$1,375,000 FROM THE DOWNTOWN PARK FUND FOR UNION SQUARE ADA ACCESSIBILITY PROJECT

HEARING DATE MAY 21, 2015

*Date:* May 14, 2015  
*Case No.:* 2015-005196CWP  
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**ALLOCATION OF \$1,375,000 FROM THE DOWNTOWN PARK FUND TO FUND PHASE I AND PHASE II IMPROVEMENTS TO UNION SQUARE, INCLUDING BLOCK 0308, BOUNDED BY GEARY, STOCKTON, POST AND POWELL STREETS; MAKING AND ADOPTING ENVIRONMENTAL FINDINGS AND FINDINGS OF CONSISTENCY WITH THE PRIORITY POLICIES OF PLANNING CODE SECTION 101.1 AND THE GENERAL PLAN.**

WHEREAS, the Board of Supervisors established the Downtown Park Fund on September 17, 1985; and

WHEREAS, the purpose of the Downtown Park Fund is to pay for acquisition and development of public recreation and park facilities for use by the daytime population of the C-3 Use District; and

WHEREAS, Planning Code Section 412.5 provides that the Fund shall be administered by the Planning Commission and the Recreation and Park Commission acting jointly; and

WHEREAS, Planning Code Section 412.5 further provides that the Recreation and Park Commission alone shall develop the recreation and park facilities on any acquired property designated for park use by the Board of Supervisors; and

WHEREAS, in 2009 the City settled a lawsuit (Yates vs. Union Square, City of San Francisco; City of San Francisco Uptown Parking Corporation; Emporio Rulli Il Caffè Union Sq, INC.; Case No. C07-4087 JSW), and as part of the Settlement Agreement, specific barriers to access in the Union Square Plaza and Garage were identified for remediation, known as the Settlement Work, or Phase I Work, as described

and illustrated in the Settlement Agreement and Release of Claims approved by the Board of Supervisors on July 29, 2009 and as illustrated in the drawing titled "Proposed ADA Remediation Work" attached to the May 21, 2015 staff report to the Planning Commission; and

WHEREAS, subsequent to the Settlement Agreement, additional barriers were identified and remediation recommended by the Mayor's Office on Disability (MOD), known as the Enhancement Work, or Phase II Work, as described and illustrated in the February 19, 2015 staff report to the San Francisco Recreation and Parks Commission titled "Union Square ADA Enhancement Contract"; and

WHEREAS, these two projects, the Settlement Work and the Enhancement Work, are known collectively as the Union Square ADA Accessibility Improvement Project ("Project"); and

WHEREAS, the Mayor and Board of Supervisors appropriated \$1,375,000 for use to fund the Project, from the Downtown Park Fund through the annual budget process in Fiscal Years 09/10, 10/11, and 11/12; and

WHEREAS, the Union Square Plaza is located within the C-3 district; and

WHEREAS, the Recreation and Parks Department ("RPD") completed the Settlement Work between October 2011 and February 2013, with \$524,000 allocated from the Downtown Park Fund; and

WHEREAS, the RPD is prepared to perform the Enhancement Work with the remaining \$851,000 allocation from Downtown Park Fund; and

WHEREAS, the Downtown Park Fund is an appropriate source for funding the Settlement Work and Enhancement Work; and

WHEREAS, The allocation for Downtown Park Fund for Phase I (Determination on March 24, 2011) and Phase II (Determination on December 29, 2014) improvements to Union Square are Categorically Exempt from Environmental Review under State CEQA Guidelines, Section 15301(a), 15301(e)(2), as a Class 1 categorical exemption; and

WHEREAS, the Planning Commission and the Recreation and Park Commission met jointly on May 21, 2015 to elicit public comment on the proposal to use monies from the Downtown Park Fund to fund the Union Square ADA Accessibility Improvement Project, including the Settlement Work and Enhancement Work. Now therefore be it

**MOVED**, that the Planning Commission hereby approves the following:

## **FINDINGS**

Having reviewed the materials identified in the preamble above, and having heard all testimony and arguments, this Commission finds, concludes and determines as follows:

1. The above recitals are true and correct and are adopted as part of this Motion.
2. The proposed allocation of funds will allow RPD to complete the Project,
3. **General Plan Policies Consistency.** The proposed Resolution is consistent with the Objectives and Policies of the General Plan.

## **RECREATION AND OPEN SPACE ELEMENT**

### **POLICY 4.1**

Make better use of existing facilities.

**POLICY 4.3**

Renovate and renew the City's parks and recreation facilities.

*The project would allocate funds to improve the accessibility of Union Square.*

**DOWNTOWN AREA PLAN**

**OBJECTIVE 10**

**ASSURE THAT OPEN SPACES ARE ACCESSIBLE AND USABLE.**

**POLICY 10.1**

Develop an open space system that gives every person living and working downtown access to a sizable sunlit open space within convenient walking distance.

**POLICY 10.4**

Provide open space that is clearly visible and easily reached from the street or pedestrian way.

*The project would allocate funds to improve the accessibility of Union Square.*

**4. Priority Policies Consistency. The Project is consistent with the eight Priority Policies set forth in Section 101.1(b) of the Planning Code as follows.**

1. That existing neighborhood-serving retail uses be preserved and enhanced and future opportunities for resident employment in and ownership of such businesses enhanced;

*The project will not negatively affect existing neighborhood serving retail uses in San Francisco's neighborhoods.*

2. That existing housing and neighborhood character be conserved and protected in order to preserve the cultural and economic diversity of our neighborhoods;

*The project would conserve, protect and improve physical neighborhood character by improving the accessibility of Union Square. .*

3. That the City's supply of affordable housing be preserved and enhanced;

*The project will enhance nearby market level and affordable housing.*

4. That commuter traffic not impede MUNI transit service or overburden our streets or neighborhood parking;

*The project will not impede MUNI transit service or overburden neighborhood streets.*

5. That a diverse economic base be maintained by protecting our industrial and service sectors from displacement due to commercial office development, and that future opportunities for resident employment and ownership in these sectors be enhanced;

*The project will not result in commercial office development or affect future opportunities for resident employment.*

6. That the City achieve the greatest possible preparedness to protect against injury and loss of life in an earthquake;

*The projects funding for removal of some existing garden open truss structures and improvements to the park landscape will protect against injury and loss of life in an earthquake.*

7. That the landmarks and historic buildings be preserved;

*The project will not affect historic resources, buildings or landmarks. .*

8. That our parks and open space and their access to sunlight and vistas be protected from development;

*The project will fund improvements to Sue Bierman Park, and will not negatively affect parks or open spaces or access to sunlight and vistas.*

5. The Planning Commission hereby retroactively approves the allocation of \$524,000 from the Downtown Park Fund to fund the Union Square Settlement Work.

6. The Commission hereby approves the entire allocation of \$1,375,000 from the Downtown Park Fund for the Union Square ADA Accessibility Improvement project..

I hereby certify that the foregoing Resolution was adopted by the Commission at its meeting on May 21, 2014.

Jonas Ionin

Commission Secretary

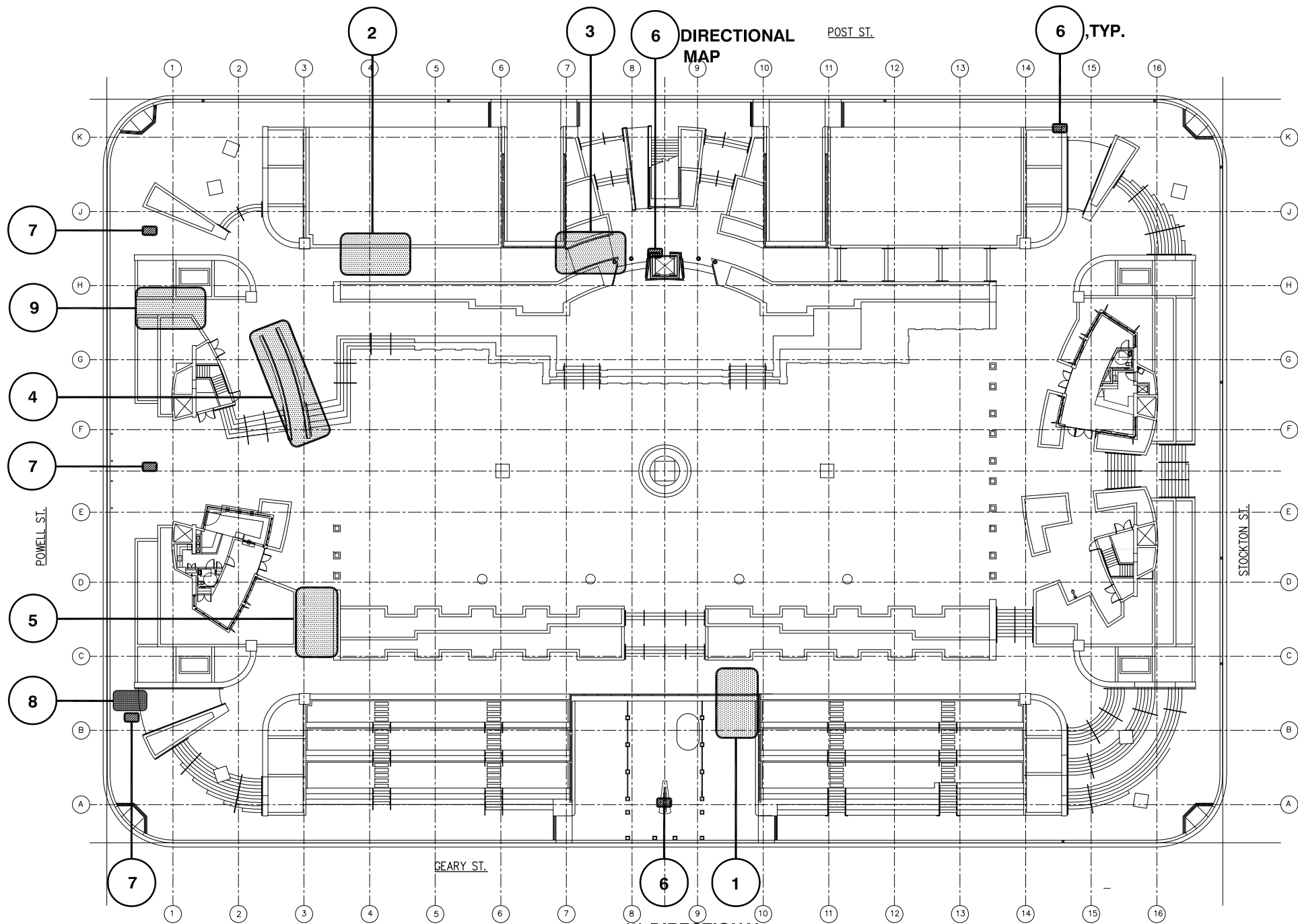
AYES:

NOES:

ABSENT:

ADOPTED:





**A ADA REMEDIATION WORK**  
SCALE: 3/32" = 1'-0"



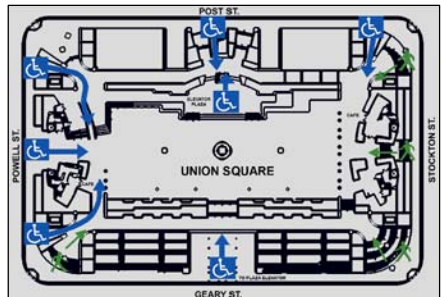
9 CREATE AND IMPLEMENT WRITTEN POLICY FOR RELOCATION OF THE GARBAGE RECEPTACLES WHICH ARE CURRENTLY STORED ON THE STREET ENTRANCE ON THE WEST SIDE OF THE PLAZA EXITING TO POWELL STREET.



8 ALTER EXISTING LANDING TO PROVIDE MINIMUM 2% CROSS SLOPE. WORK TO BE PERFORMED BY DEPARTMENT OF ENGINEERING - STREETS AND HIGHWAYS.



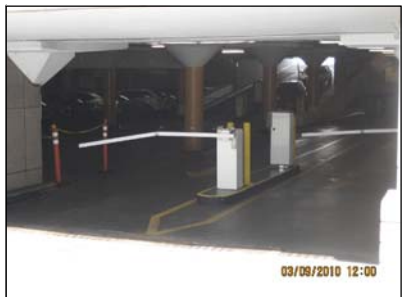
7 REMOVE THREE EXISTING FLOOR ACCESSIBLE SIGNAGE AT (3) LOCATIONS THAT CURRENTLY DESIGNATE THIS PLAZA ENTRANCE AS AN ACCESSIBLE PATH OF TRAVEL.



6 DIRECTIONAL SIGNAGE DESIGNATING THE ACCESSIBLE PATHS OF TRAVEL.



NEW DIRECTIONAL MAPS AT (3) LOCATIONS.



1 GRIND DRIVEWAY SURFACES AND SLURRY WITH AUTO DECKING ELECTROMETRIC LOCATED AT GEARY GARAGE ENTRANCE NEAR COLUMN C/9.



2 RELOCATE AN EXISTING TRASH CAN TO BLOCK AREA EXCEEDING 2.5% SLOPE IN THE WALKWAY BETWEEN RAMP 3 AND 4.



3 ALTER RAMP 3 FOR 8% SLOPE OR LESS, INCLUDING HANDRAILS.



4 ALTER RAMP 4 FOR 8% SLOPE OR LESS, INCLUDING HANDRAILS.



5 ALTER RAMP 5 FOR 8% SLOPE OR LESS, INCLUDING HANDRAILS.

BUREAU OF  
ARCHITECTURE



DEPARTMENT OF PUBLIC WORKS  
CITY AND COUNTY OF SAN FRANCISCO

30 Van Ness Avenue Suite 4100  
San Francisco, CA (415)557-4700  
94102-6028 Fax (415)5574701

Project

UNION SQUARE  
ADA REMEDIATION

UNION SQUARE,  
SF, CA, 94104

OWNER



2	07/26/2010	CD SET
1	06/30/2010	PRESENTATION SET
No.	Date	Revisions

Drawn	AL
Check	VT
Proj. Arch.	
Proj. Mgr.	PT/BN

City Architect



Drawing Title

PROPOSED ADA  
REMEDATION WORK

Sheet No.

RE-1

Job No. 3058V

**RECREATION AND PARK COMMISSION**  
**City and County of San Francisco**  
**Resolution No. 1502-010**

**UNION SQUARE ADA ENHANCEMENT**  
**AWARD OF CONTRACT**

**RESOLVED**, That this Commission does award a construction contract for the Union Square ADA Enhancement Project (Contract No.3058V) to Apadana Engineering Inc. for base bid only in the amount of \$599,777.77.

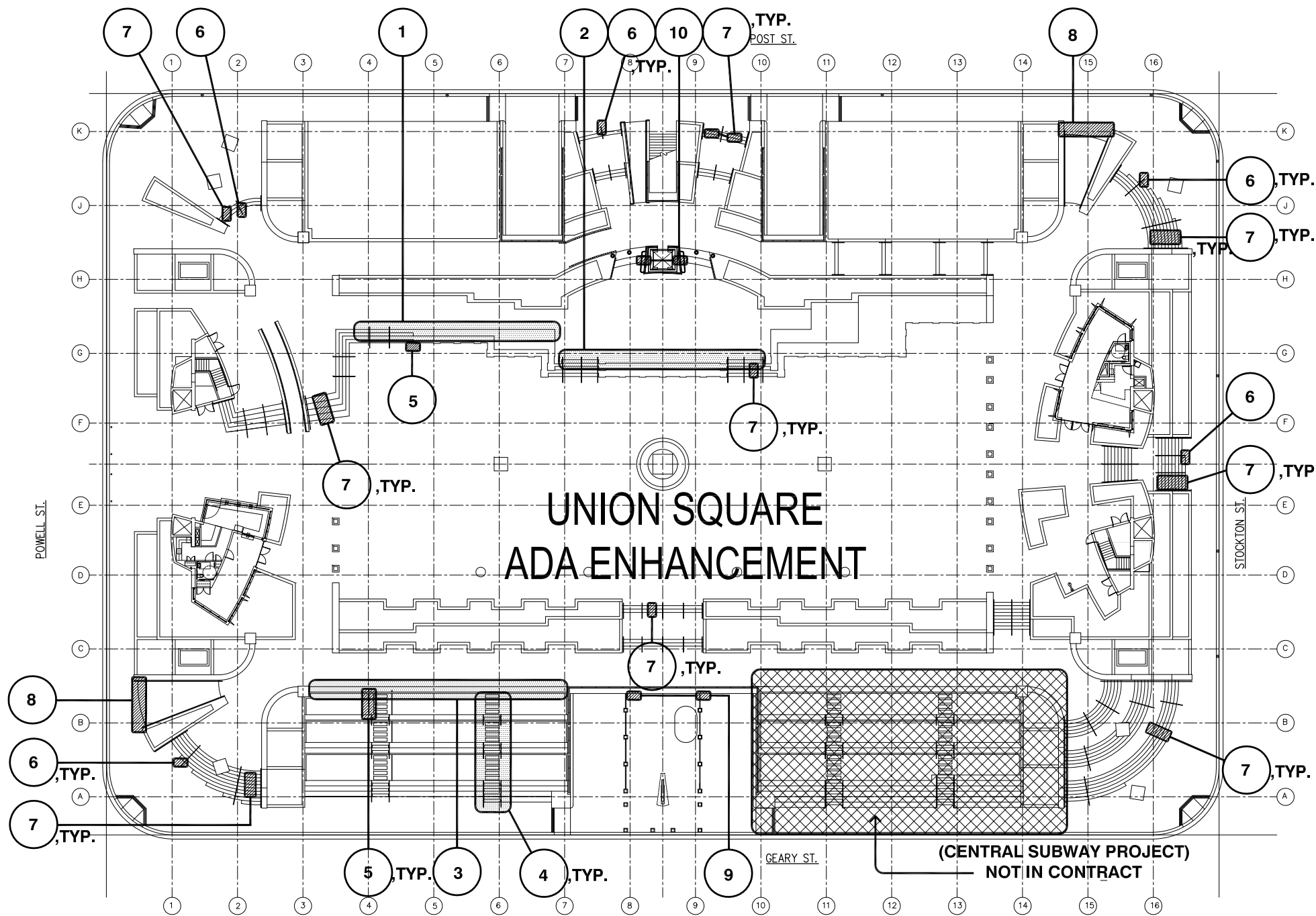
Adopted by the following vote:

Ayes	6
Noes	0
Absent	1

I hereby certify that the foregoing resolution  
was adopted at the Recreation and Park  
Commission meeting held on February 19, 2015

  
Margaret A. McArthur, Commission Liaison





**A** ADA ENHANCEMENT WORK  
SCALE: 3/32" = 1' - 0"



10 HANDRAILS ON BOTH SIDES OF EXTERIOR OF ELEVATOR'S SHAFT AT STAGE.



9 GUIDE RAILS @ HANDRAILS ON BOTH SIDES OF GARAGE ENTRANCE.



8 TRENCH COVER REPLACEMENT FOR NON-CONFORMING STRAIGHT AND CURVED TRENCH COVERS.



7 STAIR LIGHT AND S.S.L. FACEPLATES.



6 CANE DETECTIONS BELOW HANDRAILS ORIENTED IN THE PATH OF TRAVEL.



5 S.S. HANDRAILS MATCHING EXISTING.



1 PERMANENT EDGE PROTECTIONS IN AREA BOUNDED BY GRID LINES 4/7 & H/G.



2 REMOVABLE WHEEL GUIDES AT STAGE.



3 CURBS AT GEARY STREET SIDE IN THE VICINITY OF GRID LINES 3/7, BETWEEN B & C.



4 IN-FILL CONCRETE STEPPING STONES IN THE VICINITY OF GRID LINES 3/7, BETWEEN A & C.

# BUREAU OF ARCHITECTURE



DEPARTMENT OF PUBLIC WORKS  
CITY AND COUNTY OF SAN FRANCISCO

30 Van Ness Avenue Suite 4100  
San Francisco, CA (415)557-4700  
94102-6028 Fax (415)5574701

Project

## UNION SQUARE ADA ENHANCEMENT

UNION SQUARE,  
333 POST STREET,  
SF, CA 94104

OWNER



No.	Date	Revisions
6	02/16/2015	CONTRACT 3058V SCOPE OF WORK
5	03/21/2013	CONTRACTOR CLARIFICATION
4	06/03/2011	100% CD SET
3	01/10/2011	PERMIT SET
2	07/26/2010	CD SET
1	06/30/2010	PRESENTATION SET

Drawn AL, DLG  
Check VT  
Proj. Arch.  
Proj. Mgr. PT/BN

Drawing Title

## ADA ENHANCEMENT WORK

Sheet No.

# EN-1

Job No. 3058V